IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2628 OF 2006
IN
WRIT PETITIN NO.3725 OF 2004

Kanhu N. Padwal ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

Mr.S.V. Sadavarte for the Petitioner.
Mr.Mhaispurkar, AGP for the Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 10TH JANUARY, 2007.

P.C. :

Mentioned, not on board.

2. The Civil Application is placed on board and called out for final hearing.

3. It appears that despite the application for renewal of the licence having been made well in time, the same has not been considered by the concerned authorities.

4. It is stated that Respondent No.2 ought to decide the application. If the Petitioner within two weeks from today makes an application, the same shall

be decided by Respondent No.2 within six weeks from the receipt thereof. Needless to add that while considering the application, Respondent No.2 shall take into consideration the order dated 18.7.2005 passed in this Writ Petition and the order of the Civil Court.

5. In view of the fact that the application has not been decided though made well in time, the Respondents shall not prevent the operations of the Petitioner on the ground that the balconies had been illegally enclosed, that issue has already been decided by the Civil Court. This order is without prejudice to all the rights and contentions of the parties.

6. The Civil Application is accordingly disposed of.